

## **BURR & FORMAN LLP**

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November 2, 2005

**BY FACSIMILE: 334/ 297-2777**  
**And First Class Mail**

James R. McKoon, Jr., Esq.  
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**Re: Timothy P. Thomason, et al. v. GMAC Mortgage Corporation**  
**In the United States District Court for the Middle District of Alabama**  
**Eastern Division 3:05cv1056-B**

Dear Jim:

I assume you have received our *Notice of Removal* in this case, but if not, we removed this case the United States District Court for the Middle District of Alabama yesterday. As a result, the deposition set for November 8, 2005, will not go forward since Federal Rules of Civil Procedure 26(d) provides that "a party may not seek discovery from any source before the parties have conferred as required by Rule 26(f)." [REDACTED]

Very truly yours,

A handwritten signature in black ink, appearing to read "Reid S. Manley".

Reid S. Manley

RSM/kb